

LAWRENCE G. BROWN  
United States Attorney  
HEIKO P. COPPOLA  
Assistant U.S. Attorney  
501 I Street, Suite 10-100  
Sacramento, California 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

TROY URIE,

Defendant.

Cr. No. S-03-0534 FCD

STIPULATION AND ORDER  
TO CONTINUE BRIEFING  
SCHEDULE; FINDING  
OF EXCLUDABLE TIME

The United States of America, through Assistant U.S. Attorney Heiko P. Coppola, and  
defendant Troy Urie, through his counsel Scott L. Tedmon, hereby stipulate and agree as follows:

1. In this case, the Court has previously excluded time under the Speedy Trial Act  
through September 21, 2009 under 18 U.S.C. §3161(h)(7)(B)(ii) and (iv), [Local Code T2 and  
T4], complex case and counsel's need for time to prepare.

2. This case is complex in that the Indictment charges facts which involve multiple  
jurisdictions, some located across the United States. Additionally, there are legal issues  
involving alleged conduct in other federal jurisdictions which involve ongoing litigation. The  
defendant is challenging his conviction from the Northern District of California in the Court of  
Appeals for the Ninth Circuit. The facts presented by the government in the Northern District  
conviction included conduct charged in this case, raising the issue of collateral estoppel and the

1 need for this issue to be litigated in both this Court and the Ninth Circuit. The defendant filed a  
2 motion with respect to the issue of collateral estoppel in this Court on August 10, 2009. The  
3 government's response brief is currently due on August 31, 2009. Given the complexity of the  
4 issues raised by the defendant's motion, the government needs additional time to review the  
5 record and conduct legal research before filing its response brief. The parties have agreed on the  
6 following amended briefing schedule:

7 Government response due: October 5, 2009

8 Defense reply due: October 19, 2009

9 Non-evidentiary hearing on motion: November 9, 2009 at 10:00 a.m.

10 In addition to this legal issue, the defense continues to conduct their investigation and  
11 review of the case. Based on these factors, the parties stipulate that the Court's finding of  
12 complexity and counsel's need for time to prepare pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii) and  
13 (iv) is and continues to be appropriate.

14 3. The parties stipulate and agree that the Court should reiterate its previous finding that  
15 time should be excluded under the Speedy Trial Act, pursuant to 18 U.S.C. §3161(h)(7)(B)(ii)  
16 and (iv), [Local Code T2 and T4], and that the ends of justice therefore outweigh the best interest  
17 of the public in a speedy trial.

18 4. Accordingly, it is hereby stipulated and the parties agree that time be excluded from  
19 September 17, 2009 through November 9, 2009 under the Speedy Trial Act pursuant to 18  
20 U.S.C. §3161(h)(7)(B)(ii) and (iv), [Local Code T2 and T4], in that this case is complex, counsel  
21 for the parties need time to prepare, and that the ends of justice outweigh the best interest of the  
22 public in a speedy trial.

23 5. Additionally, the parties stipulate and agree that time should also be excluded under  
24 18 U.S.C. §3161(h)(1)(D) [Local Code E] for delay related to the filing of pretrial motions, from  
25 the filing of the motion on August 10, 2009 through the conclusion of the hearing on November  
26 9, 2009.

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1 6. Relief Courtroom Deputy, Casey Schultz, has approved the requested court date.

2 7. Scott L. Tedmon has authorized the undersigned government's counsel to sign this  
3 stipulation on his behalf.

4 **IT IS SO STIPULATED.**

5 DATED: August 26, 2009

LAWRENCE G. BROWN  
United States Attorney

6  
7 /s/ Heiko P. Coppola  
HEIKO P. COPPOLA  
Assistant United States Attorney

9  
10 DATED: August 26, 2009

LAW OFFICES OF SCOTT L. TEDMON

11 /s/ Scott L. Tedmon  
SCOTT L. TEDMON  
Attorney for Defendant Troy Urie

**ORDER**

GOOD CAUSE APPEARING and based upon the above stipulation, the Court adopts the following amended briefing schedule on the issue of collateral estoppel and IT IS ORDERED:

Government response due: October 5, 2009

Defense reply due: October 19, 2009

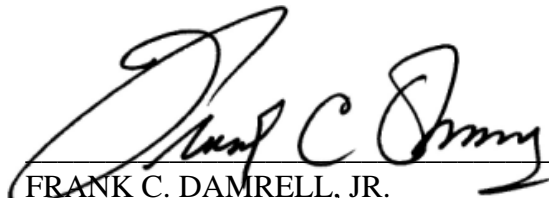
Non-evidentiary hearing on motion: November 9, 2009 at 10:00 a.m.

The Court reiterates its previous finding that time be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(7)(B)(ii) and (iv), [Local Code T2 and T4], in that the case is complex, that counsel needs additional time to prepare, and that the ends of justice therefore outweigh the best interest of the public in a speedy trial. The Court also finds that time should be excluded under 18 U.S.C. § 3161(h)(1)(D)[Local Code E] for the delay related to the filing of pretrial motions, from the filing of the motion on August 10, 2009 through the conclusion of the hearing on November 9, 2009.

Accordingly, IT IS FURTHER ORDERED that pursuant to 18 U.S.C. §3161(h)(7)(B)(ii) and (iv), [Local Code T2 and T4] the period from September 21, 2009, to and including November 9, 2009, is excluded from the time computations required by the Speedy Trial Act. IT IS ALSO FURTHER ORDERED, that pursuant to 18 U.S.C. §3161(h)(1)(D)[Local Code E] the period from August 10, 2009, to and including November 9, 2009, is also excluded from the time computations required by the Speedy Trial Act

**IT IS SO ORDERED.**

DATED: August 26, 2009

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE